

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RODNEY E. BRANTON,

Plaintiff,

v.

1:15-CV-00005  
(DNH/TWD)

COLUMBIA COUNTY, NEW YORK; JAMES A. CARLUCCI, Assistant D.A.; JONATHAN D. NICHOLAS, County Judge; SUSAN KUSMINSKY, Court Assistant; RICHARD A. MCNALLY, JR., Acting Judge; JASON C. FINN, Police Officer; NEW YORK STATE POLICE; ABDUL WEED, Investigator; SHANNON J. SULLIVAN, Trooper; NEW YORK DEPT. OF CORRECTIONS AND COMMUNITY SUPERVISION; ANTHONY J. ANNucci, Acting Commissioner; JAMES B. MCGOWAN, New York State Department of Law; NEW YORK ATTORNEY GENERAL; and RICHARD M. PLATKIN, Acting Judge,

Defendants.

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APPEARANCES:

RODNEY E. BRANTON  
14-A-4032  
Plaintiff pro se  
Coxsackie Correctional Facility  
Box 999  
Coxsackie, NY 12051

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Rodney E. Branton brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 17, 2015, the Honorable Thérèse Wiley Dancks, United States Magistrate

Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without leave to amend and that the motion to set aside judgment be denied as moot. Plaintiff timely filed objections to the Report-Recommendation, as well as filing a letter motion received May 6, 2015, requesting to withdraw his request for a preliminary injunction.

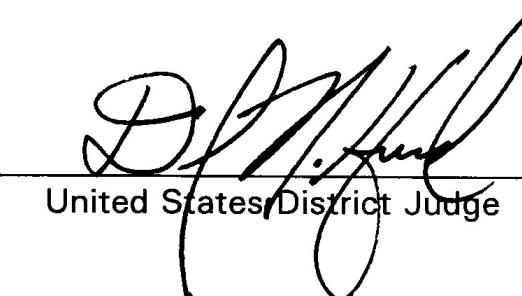
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED without leave to amend;
2. The motion to set aside judgment is DENIED as moot;
3. Plaintiff's request to withdraw his request for a preliminary injunction is DENIED as moot; and
4. The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.



United States District Judge

Dated: May 26, 2015  
Utica, New York.